

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 37-39, 45-68, 70-74, 76-80 are pending in the present application, Claims 37-39, 45-68, and 70-74 having been amended, and Claims 40-44, 69, 75, and 81 having been canceled without prejudice or disclaimer. Support for the present amendment is found, for example, in at least Fig. 4 and its corresponding description in the specification. Applicant respectfully submits that no new matter is added.

In the outstanding Office Action, Claims 37, 45, 70, and 76 were rejected under 35 U.S.C. §102(b) as anticipated by McDougall et al. (U.S. Patent No. 5,999,966, hereinafter McDougall); Claims 38-44 were rejected under 35 U.S.C. §103(a) as unpatentable over McDougall in view of Beavers et al. (U.S. Patent Publication No. 2004/0003040), hereinafter Beavers); Claim 46 was rejected under 35 U.S.C. §103(a) as unpatentable over McDougall in view of Furlan et al. (U.S. Patent No. 6,741,250, hereinafter Furlan); Claims 69, 75, and 81 were rejected under 35 U.S.C. §103(a) as unpatentable over McDougall in view of Caugherty (U.S. Patent No. 6,597,702); Claims 47-62 were objected to for depending from a rejected base claim, but were otherwise indicated as including allowable subject matter; and Claims 63-68, 71-74, and 77-80 were allowed.

Applicant thanks the Examiner for the indication of allowable subject matter. Claim 47 is amended to be written in independent form, including the elements of the base claim and any intervening claims. Thus, Claim 47, and Claims 48-62 dependent thereon, are in condition for allowance.

It is also noted that allowed Claims 63-68, 71-74, and 77-80 have been amended to either more clearly indicate that they are tied to a particular machine, or to be written in independent form. These claims should still be allowable

With respect to rejection of Claim 37 as anticipated by McDougall, Applicant respectfully submits that amendment to Claim 37 overcomes this ground of rejection.

Amended Claim 37 recites, *inter alia*,

configuring the recording apparatus as a participant in the videoconference,

receiving, at the recording apparatus, a videoconference transmission from a computer network, said videoconference transmission including at least one audio visual signal and at least one protocol signal,

reading, at the recording apparatus, one or more protocol signals from the computer network pertaining to the videoconference transmission,

applying, at the recording apparatus, a selected encoding process to a received audio visual signal to generate an encoded videoconference, said encoding process being selected depending on the contents of said at least one protocol signal read,

storing the generated encoded videoconference in a memory device associated with the recording apparatus, and

outputting, at the recording apparatus, the encoded videoconference stored in the memory device to a reproduction device through the computer network.

McDougall does not disclose or suggest every element of Claim 37.

McDougall focuses on participant control over a videoconference. McDougall describes the use of control messages to direct participants in the call; typically with engage or delete messages for the participants. Further, the control messages are used to configure other equipment (switch 14, for example) on the network to handle the switching of media within the conference.

However, McDougal does not disclose or suggest a recording apparatus at which the above-noted steps of Claim 37 are performed. For example, switch 14 of McDougall is not a participant of the videoconference. Furthermore, none of the end points in McDougall's Fig.

1 are disclosed as storing the generated encoded videoconference in a memory device, and outputting the encoded videoconference stored in the memory device to a reproduction device through the computer network.

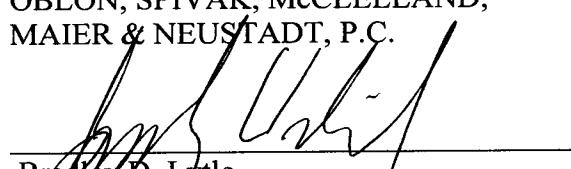
In view of the above-noted distinctions, Applicant respectfully submits that amended Claim 37 (and any claims dependent thereon) patentably distinguishes over McDougall. Claim 70 recite elements analogous to those of Claim 37. Thus, amended Claim 70 patentably distinguishes over McDougall, for at least the reasons stated for Claim 37.

Addressing each of the further rejections, each of the further rejections is also traversed by the present response as no teachings in any of the further cited references can overcome the above-noted deficiencies of McDougall. Accordingly, it is respectfully requested that those rejections be withdrawn for similar reasons as discussed above.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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